

असाधारण EXTRAORDINARY भाग II — खण्ड 2 PART II — Section 2 प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके। Separate paging is given to this Part in order that it may be filed as a separate compilation.

RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on 5th March, 2003:—

BILL No. XVIII of 2003

A Bill further to amend the Constitution (Scheduled Tribes) (Union Territories) Order, 1951.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

- 1. This Act may be called the Constitution (Scheduled Tribes) (Union Territories) Order (Amendment) Act, 2003.
- 2. In the Schedule to the Constitution (Scheduled Tribes) (Union Territories) Order, 1951, in Part I.—Lakshadweep, the following provisos shall be inserted at the end, namely:—

"Provided that the children who are born to inhabitants in any other place in the mainland of India on account of cases referred by the competent medical authority for safe delivery of the children by such inhabitants shall be deemed to be inhabitants born in the islands if such children are brought to the islands for inhabitation soon after their birth:

Provided further that the President may, by order, notify any authority as competent medical authority for the purposes of this Part.".

Short title.

Amendment of Part I of Constitution (Scheduled Tribes) (Union Territories) Order, 1951.



According to "Part I.—Lakshadweep" in the Schedule to the Constitution (Scheduled Tribes) (Tation Territorie) Order, 1951, the inhabitants of the Laccadive, Minicoy and Amindia. Lands who, and both of whose parents were born in the Union territory are depended to be Scheduled Tribes. Representations were received that Part I of the Schedule to use and Order is creating difficulties for certain islanders who were born on the main land on account of non-availability of adequate medical facilities in the islands. Since, the said Order provides that the person has necessarily to be born in the islands for being deemed to be a Scheduled Tribe, such persons who are born outside the islands to the inhabitants of islands are not treated as Scheduled Tribes.

- 2. As far as Lakshadweep is concerned, no particular community was selected as a Scheduled Tribe and all the inhabitants in the Union territory irrespective of the community or religious affiliation are being treated as Scheduled Tribes in view of their socio-economic backwardness arising out of isolation from the mainland. It may not be appropriate to deny Scheduled Tribe status to such persons who were born on the mainland for medical reasons and have been brought to the islands soon after their birth. Accordingly, "Part I.—Lakshadweep" in the Schedule to the Constitution (Scheduled Tribes) (Union Territories) Order, 1951 is proposed to be modified in order to make such persons eligible for Scheduled Tribe status by inserting two provisos.
 - 3. The Bill seeks to achieve the aforesaid object.

JUAL ORAM.

YOGENDRA NARAIN, Secretary-General.